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Date: January 15, 2022

Breeze Aviation Group, Inc.  
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Darien, CT 06820

U.S Department of Transportation  
Docket Management System  
West Building Ground Floor, Room W12-140  
1200 New Jersey Avenue, SE  
Washington, DC 20590

To Whom it May Concern,

In accordance with Title 14 of the Code of federal Regulations 14 CFR 11.25, Breeze Airways petitions the Administrator for Exemption 106090, as amended. Exemption 106090 provides relief from section 121.803(c)(3) which requires airplanes with a seating capacity of more than nine passengers to carry an Emergency Medical Kit (EMK) with contents as specified in Appendix A to part 121.

Specifically, we are requesting this exemption for use during periods of temporary supply shortages, beyond our control, affecting availability of the injectable drugs Atropine, Dextrose, Epinephrine and/or Lidocaine, as required in Appendix A to part 121.

Reasons for seeking this relief include:

1. Suppliers may not be able to provide EMKs stocked with the drugs when pharmaceutical manufacturers do not deliver the product and have not supplied revised fulfillment dates.
2. Replacement supplies of the substances cannot be imported from foreign manufacturers.
3. There is no accepted substitute for Atropine, and where substitutes for other drugs may exist, their suppliers are no longer dependable.
4. These drugs are very rarely used.

Granting this exemption would be in the Public Interest:

Absent this relief, there would be no means for us to comply with 121.803, Appendix A to part 121, and MEL requirements when shortages exist, and the drugs need to be restocked in the EMK. Therefore, we may periodically, and with little notice, be faced with the decision to ground aircraft. Grounding of an otherwise airworthy aircraft would disrupt air service and would not be in the best interest of the traveling public.



Granting this exemption would help to ensure that air service continues uninterrupted and would clearly best serve the public interest.

Granting this exemption would not adversely affect safety:

Industry data show that roughly 1% of EMKs returned for refurbishment are missing Atropine due to use, loss, or damage. The data also show that a returned EMK, unless opened for use, represents approximately one year of service and is generally returned for replacement of *expiring* contents. Furthermore, the data show that the majority of drug usage for airline purposes has been due to expiration, not administration to passengers.

It is important to note that suppliers of EMKs have consistently demonstrated their responsibility to the public by placing the drugs in EMKs whenever the products have been available, even during periods of the exemption.

Breeze has recently reviewed the continued availability of Atropine, Dextrose, Epinephrine and Lidocaine with its EMK supplier and was informed that there is a forecasted national shortage of these drugs this year. Breeze believes that the impact on large numbers of passengers that would be caused by grounding aircraft for shortages of these drugs outweighs the benefit of having them and would not adversely affect the safety of the traveling public, since they are used so infrequently in response to inflight medical events.

Therefore, Breeze Airways respectfully requests Exemption No. 106090, providing relief as described above, be granted.

Sincerely,

*Christopher R. Owens*

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